

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

CARLTON WEST, II, #237293,

Plaintiff,

v.

Case No. 07-cv-11081

Hon. Anna Diggs Taylor

Magistrate Judge Virginia M. Morgan

MICHIGAN DEPARTMENT OF
CORRECTIONS, INSPECTOR
PUTNAM, and S. KRONBERG,

Defendants.

ORDER ADOPTING MAGISTRATE'S REPORT AND RECOMMENDATION

(Docket Entry 48)

This matter is before the court on Magistrate Judge Virginia M. Morgan's Report and Recommendation of September 23, 2009, recommending that defendants Putnam and Kronberg's Motion for Summary Judgment be granted and that this court decline to exercise pendent jurisdiction over Plaintiff's state law claim.

The court has reviewed the file, the Magistrate Judge's Report and Recommendation, and Plaintiff's objections filed thereto. The court finds that the law cited by the Magistrate has been correctly placed and is controlling in this matter.

THEREFORE, the court will accept the Magistrate's Report and Recommendation of September 23, 2009, as the findings and conclusions of this court.

Accordingly,

IT IS HEREBY ORDERED that Magistrate Judge Morgan's Report and Recommendation of September 23, 2009, is ACCEPTED and ADOPTED.

IT IS FURTHER ORDERED that defendants Putnam and Kronberg's Motion for Summary Judgment (D/E 33) is **GRANTED** and this court declines exercise pendent jurisdiction over Plaintiff's state law claim.

IT IS SO ORDERED.

DATED: February 3, 2010

s/Anna Diggs Taylor

ANNA DIGGS TAYLOR

UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing Order was served upon counsel of record via the Court's ECF System to their respective email addresses or First Class U.S. mail disclosed on the Notice of Electronic Filing on February 3, 2010.

Carlton West, II, #237293
Marquette Branch Prison
1960 U.S. Hwy 41 South
Marquette, MI 49855

s/Johnetta M. Curry-Williams
Case Manager